

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES M. WHORTON,

Plaintiff,

v.

SURJIT DINSA,

Defendant.

Case No. 21-11722

Honorable Nancy G. Edmunds

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**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S  
MARCH 28, 2022 REPORT AND RECOMMENDATION [14]**

This is a pro se prisoner civil rights lawsuit filed under 42 U.S.C. § 1983 by Plaintiff James M. Whorton against Defendant Surjit Dinsa, M.D. for alleged violations of the First and Eighth Amendment. (ECF No. 1.) The case has been referred to Magistrate Judge Jonathan J.C. Grey for all pre-trial matters. (ECF No. 10.) The matter is before the Court on the Magistrate Judge's March 28, 2022 report and recommendation to grant Defendant's motion for summary judgment based on Plaintiff's failure to exhaust his administrative remedies. (ECF No. 14.) No party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *See Hall v. Rawal*, No. 09-10933, 2012 U.S. Dist. LEXIS 120541, at \*2 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). Nonetheless, the Court agrees with the Magistrate Judge's recommendation. The Court, therefore, ACCEPTS AND ADOPTS the report and recommendation (ECF No. 14). Accordingly, Defendant's motion for summary judgment (ECF No. 11) is GRANTED.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: April 25, 2022

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 25, 2022, by electronic and/or ordinary mail.

s/Lisa Bartlett  
Case Manager